

### **REMARKS/ARGUMENTS**

1. Applicant has canceled claims 1-30, and has added new claims 31-60. Claims 31-60 are pending.

2. The new claims do not represent new matter. All claims find support in the specification, as discussed in detail below.

#### **Claims Amended to Overcome 35 USC 112 Objection**

3. New language has been added to recite the end result of the interface and of using the interface, in order to meet the objection.

#### **Claims Amended to Overcome 35 USC 101 Objection**

4. New language has been added to clearly point out the utility of the invention. The end result of the claimed methods is recited in order to meet the objection.

#### **Claims Amended to Overcome 35 USC 102 Objection**

5. All claims were rejected as being anticipated by Longo 6,066,794. Applicant believes the rejected claims were interpreted more broadly than intended, by reference to various terms found in the rejected claims and also in the cited art, as pointed out by the examiner in the Office Action. Applicant intended these terms to have meanings as they are used in the pending application. However applicant acknowledges that the use of the same or similar terms in the cited art, and it's incorporation by reference in the pending application, may suggest that the rejected claims were open to broader interpretation than intended. Applicant therefore wishes to submit substitute claims that explicitly describe the limitations that distinguish them.

These limitations are necessary for the implementation of the present invention, and render it new and unobvious. This is because paradoxically, it is the absence of these limitations in the prior art that results in limited functionality. Applicant has discovered that adding the described limitations, particularly with reference to the main independent claims, enables greatly expanded functionality. This expanded functionality is described in the pending application, and claimed in more detail in the dependent claims, all listed below. Applicant therefore asserts that these claims represent new and patentable subject matter.

#### **Additional Information Indicating Unobviousness**

16. Long-felt and Unsolved Need: Current research in electronic music is largely directed toward solving the problem of expressive and varied interaction with audio production technology.

Applicant has submitted numerous recently published academic and professional articles addressing this problem as prior art references.

17. Unrecognized Problem: Applicant has recognized that synthesizers work by mirroring human perceptual modes, and that missing from the synthesis architecture is an electronic representation of the decisions a performer makes as embodied in performance modes made possible by the operation of the human hand and associated joints. The disclosed methods were not previously implemented by others because the problem itself was not recognized.

18. Unsuggested Modification: Although the examiner cited a prior art reference that is itself cited in the first paragraph of the present application, the applicant's intention is to claim further developments and modifications not included in this reference, and has amended the claims to more clearly point out these distinctions. The applicant respectfully submits that these are novel and unobvious aspects of the present invention that are

neither taught nor suggested in the reference, for the reason cited above, and are therefore patentable.

**Application Submitted to be in Condition for Allowance**

Amendments to the claims have been made to meet the examiner's objections under 35 USC 112, 101 and 102. This application is now submitted to be in condition for allowance, which action is requested.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Nick Longo", is written over a horizontal line.

Nicholas Longo  
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